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Attorneys for Defendant
BLUE COAT SYSTEMS LLC

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

FINJAN, INC., a Delaware Corporation,

Plaintiff,

v.

BLUE COAT SYSTEMS LLC, a Delaware Corporation,

Defendant.

Case No.: 15-cv-03295-BLF-SVK

**STIPULATION REGARDING
OCTOBER TRIAL AND
~~[PROPOSED]~~ ORDER**

By and through their respective undersigned counsel, Plaintiff Finjan, Inc. (“Finjan”) and Defendant Blue Coat Systems LLC (“Blue Coat”) (collectively, the “Parties”), hereby stipulate and agree as follows:

WHEREAS, between October 31, 2017 and November 14, 2017, a jury trial was held regarding infringement and damages issues related to Finjan’s U.S. Patent Nos. 6,154,844 (“’844 patent”); 6,965,968 (“’968 patent”); 7,418,731 (“’731 patent”); 8,225,408 (“’408 patent”); 8,677,494 (“’494 patent”); and 9,189,621 (“’621 patent”) (the “October Trial”);

WHEREAS, on November 20, 2017, the jury was unable to reach a verdict on infringement related to the ‘844 and ‘494 patents;

WHEREAS, on November 21, 2017, the Court scheduled a retrial related to the ‘844 and ‘494 patents to commence on January 8, 2018 (the “January Trial”);

WHEREAS, the Parties agree not to raise the existence of the October Trial or verdict from the October Trial before the jury in the January Trial, aside from use of testimony (direct or cross-examination testimony) for impeachment;

THEREFORE, the Parties stipulate to not raise the existence of the October Trial or verdict from the October Trial before the jury during the January Trial, aside from the use of testimony for impeachment.

IT IS SO STIPULATED.

KRAMER LEVIN NAFTALIS & FRANKEL LLP

Dated: January 2, 2018

By: /s/ Paul Andre

Paul Andre
Attorneys for Plaintiff
FINJAN, INC.

MORRISON & FOERSTER LLP

Dated: January 2, 2018

By: /s/ Stefani E. Shanberg

Stefani E. Shanberg
Attorneys for Defendant
BLUE COAT SYSTEMS LLC

ATTESTATION PURSUANT TO CIVIL L.R. 5-1(i)

In accordance with Civil Local Rule 5-1(i)(3), I attest that concurrence in the filing of this document has been obtained from any other signatory to this document.


By: /s/ Stefani E. Shanberg
Stefani E. Shanberg

~~PROPOSED~~ ORDER

Before the Court is the Parties' Stipulation Regarding October Trial.

PURSUANT TO STIPULATION, IT IS SO ORDERED.

DATED: January 3, 2018


The Honorable Beth Labson Freeman
United States District Judge